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SUBJECT: PARLIAMENT AXES RESTRICTIONS ON INFO ABOUT HOMOSEXUALITY

REF: VILNIUS 381

¶1. The Lithuanian Seimas (parliament) on December 22 again amended a law to protect minors from harmful effects of public information, this time to remove restrictions on information concerning homosexual, bisexual or polygamous relations. The law, when amended earlier this year to include those restrictions, caused an international outcry among human-rights groups and official disapproval from the European Parliament. One Lithuanian human-rights leader said the new version of the law was somewhat better, but still troubling in some areas.

¶2. The law concerning exposure of minors to potentially harmful information has been on the books in Lithuania for years. But amendments earlier this year brought approbation from Lithuanian and international human-rights organizations, who objected to a section labeling public information promoting homosexual, bisexual or polygamous relations as "having a detrimental effect on the mental health, physical, intellectual or moral development of minors." Then-President Valdas Adamkus vetoed the amendments, but the Seimas overrode that veto (reftel). Shortly after taking office, new President Dalia Grybauskaite said she also disapproved of the law and would appoint a commission to recommend new amendments. The amendments passed by the Seimas on December 22 were largely those proposed by Grybauskaite, based on her commission's recommendations, though some additional changes were suggested by members of the Seimas.

¶3. The references to homosexual relations were replaced by a prohibition on exposing minors to information "which promotes sexual abuse and harassment of minors and sexual relations by minors" and "which promotes sexual relationships." According to the law, "promotion" is defined as "targeted information by which minors are encouraged to undertake specific actions or change habits or beliefs."

¶4. The new amendments include a provision that categorizes as harmful information "which denigrates family values, promotes marriage formation and a family creation concept other than that provided for" in the Lithuanian constitution or civil code. The constitution says "marriage shall be concluded upon the free and mutual consent of a man and a woman," and that the rights of spouses shall be equal. It says the right and duty of parents is to bring up their children to be honest people and faithful citizens, and to support them until they reach adulthood. The duty of children is to respect their parents, take care of them in their old age and preserve their heritage. The civil code also defines marriage as a voluntary agreement between a man and woman to establish legal family relations. But the Seimas in 2008 approved a "Family Concept" that defines a family as a community of closely related persons, created on the basis of the marriage of a man and a woman.

¶5. Human-rights defenders applauded the removal of the references to homosexual relations, but remained concerned about the emphasis on heterosexual marriage as the sole basis of a family. Many Lithuanian children are born out of

wedlock or live in single-parent homes because of divorce or death. Many Lithuanian families also have one parent living elsewhere in Europe, where they can find higher wages and better support their families. Henrikas Mickevicius, executive director of the Human Rights Monitoring Institute in Vilnius, said the lack of definitions of many terms in the law make it difficult to predict how it will be enforced. He also said the replacement of "homosexual relations" with "sexual relations" in the law did not solve the problem. The ban on information about homosexuality is still there, just hidden inside a broader ban, he said.

¶6. Mickevicius said he did not think a better law was possible in the current political environment in the Seimas. "Now we just have to wait a year or two and see what the first cases are and how the law is interpreted," he said.  
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